

FISCAL NOTE

SB 3891 - HB 3880

February 16, 2008

SUMMARY OF BILL: Includes the Class E felony offenses of animal fighting, aggravated cruelty to animals and bestiality in the list of offenses for which an offender is ineligible for pretrial or judicial diversion.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$6,900/Incarceration*

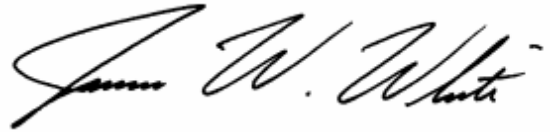
Assumptions:

- An offender convicted of animal fighting, aggravated cruelty to animals or bestiality would still be eligible for probation. It is reasonable to assume that courts that would otherwise have granted pretrial or judicial diversion to these individuals would grant probation in most cases.
- The Department of Correction (DOC) estimates one offender per year will not be granted probation, judicial diversion or pretrial diversion for animal fighting, aggravated cruelty to animals or bestiality. According to the DOC, the average operating cost per inmate per day for calendar year 2008 is \$62.78. The cost per inmate at 0.3 years is \$6,879.43 (\$62.78 x 109.58 days). No significant incarceration cost increase will occur due to population growth in this period.
- No significant fiscal impact to the District Public Defenders Conference, District Attorneys General Conference or to the Administrative Office of the Courts.

**Tennessee Code Annotated, Section 9-4-210, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" and last name "White" clearly legible, and "W." in the middle.

James W. White, Executive Director

/lsc